## Court of Appeals, State of Michigan

## **ORDER**

James Schmeling v William Whitty

Docket No. 292740

LC No. 07-722135-NI

Karen M. Fort Hood Presiding Judge

Kurtis T. Wilder

Christopher M. Murray

Judges

The Court orders that the motion to dismiss is DENIED.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 1 6 2010

Chief Clerk